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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/790,628	03/01/2004	Donald A. Stevens	4417-040172

CONFIRMATION NO. 1336

# ABANDONMENT/TERMINATION LETTER



\*OC000000015167627\*

Richard L. Byrne  
 WEBB ZIESENHEIM LOGSDON ORKIN & HANSON, P.C.  
 700 Koppers Building  
 436 7th Avenue  
 Pittsburgh, PA 15219-1818

Date Mailed: 02/11/2005

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/24/2004.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item (s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(i); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-

identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

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*A copy of this notice MUST be returned with the reply.*

*Request Woldeyes*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

DACS



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/790,628	MAY 12 2005 05/01/2004	Donald A. Stevens	4417-040172

CONFIRMATION NO. 1336

## FORMALITIES LETTER



\*OC000000012748575\*

Richard L. Byrne  
 WEBB ZIESENHEIM LOGSDON ORKIN & HANSON, P.C.  
 700 Koppers Building  
 436 7th Avenue  
 Pittsburgh, PA 15219-1818

Date Mailed: 05/24/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/13/2005 MAHME1 00000061 10790628

FILED UNDER 37 CFR 1.53(b)

03 FC:2001	395.00 OP
04 FC:2051	65.00 OP
05 FC:2201	200.00 OP
06 FC:2202	325.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity. 395.00*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

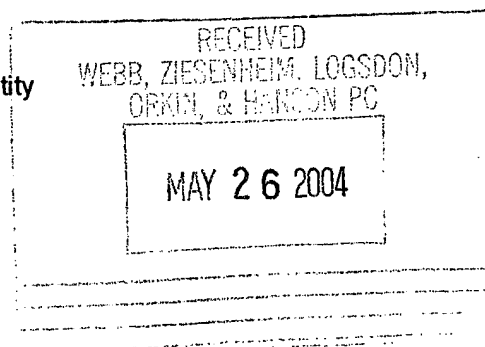
The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$203 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$653 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

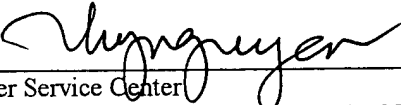


- Total additional claim fee(s) for this application is **\$203**
  - **\$86** for **2** independent claims over 3.
  - **\$117** for **13** total claims over 20.

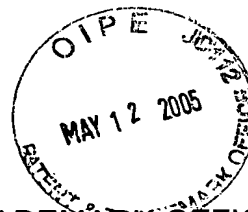
Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY

Appl. No. 10/790,628  
Response to Notice to File Missing Parts dated May 9, 2005  
Notice to File Missing Parts dated May 24, 2004  
Attorney Docket No. 4417-040172



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/790,628 Confirmation No. 1336  
Applicant : Donald A. STEVENS  
Filed : March 1, 2004  
Title : LIGHT GAUGE STEEL RIBBED-CHANNEL,  
SELF-SETTING LATH AND FRAMING SYSTEM  
Art Unit : 3635  
Customer No. : 28289

RESPONSE TO NOTICE TO FILE MISSING PARTS

MAIL STOP PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated May 24, 2004, please find enclosed a copy of an executed Combined Declaration and Power of Attorney along with a check in the amount of \$2530 for fees

as follows:

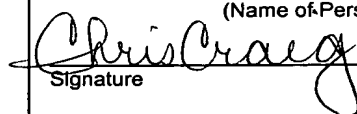
1)	Statutory Basic Filing Fee	\$395
2)	Excess Claim Fee	\$525
3)	Late Oath/Declaration Surcharge	\$ 65
4)	Four Months Extension of Time	\$795; and
5)	Petition Fee for Revival	\$750.

{W0181982.1}

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 10, 2005.

Chris Craig

(Name of Person Mailing Paper)

  
Signature

May 10, 2005  
Date

Appl. No. 10/790,628  
Response to Notice to File Missing Parts dated May 9, 2005  
Notice to File Missing Parts dated May 24, 2004  
Attorney Docket No. 4417-040172

The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees as set forth in 37 C.F.R. §§1.16 and 1.17 which may be required, or refund any overpayment to Deposit Account No. 23-0650. The original and two copies of this Response are attached.

Respectfully submitted,

THE WEBB LAW FIRM, P.C.

By:   
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436 Seventh Avenue  
Pittsburgh, PA 15219-1845  
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